

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:10-cv-00436-RMC**

AMERICAN CIVIL LIBERTIES UNION et al v.
DEPARTMENT OF JUSTICE et al
Assigned to: Judge Rosemary M. Collyer
Case in other court: USCA, 11-05320
Cause: 05:552 Freedom of Information Act

Date Filed: 03/16/2010
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION**

represented by **Arthur B. Spitzer**
AMERICAN CIVIL LIBERTIES UNION
OF THE NATION'S CAPITAL
4301 Connecticut Avenue, NW
Suite 434
Washington, DC 20008
(202) 457-0800 x113
Fax: (202) 457-0805
Email: artspitzer@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brett Max Kaufman
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th Floor
New York, NY 10004
(212) 549-2603
Fax: (212) 549-2654
Email: bkaufman@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Hina Shamsi
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th floor
New York, NY 10004
212-284-7321
Fax: 212-549-2654
Email: hshamsi@aclu.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jameel Jaffer
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th Floor
New York, NY 10004
(212) 519-7814
Fax: (212) 549-2654
Email: jjaffer@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nathan Freed Wessler

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th Floor
New York, NY 10004
(212) 519-7847
Email: nwessler@aclu.org
TERMINATED: 06/03/2013
PRO HAC VICE

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**

represented by **Arthur B. Spitzer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brett Max Kaufman
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Hina Shamsi
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jameel Jaffer
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nathan Freed Wessler
(See above for address)
TERMINATED: 06/03/2013
PRO HAC VICE

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Amy E. Powell**
U.S. DEPARTMENT OF JUSTICE
P.O. Box 883
Washington, DC 20044
(202) 514-9836
Fax: (202) 616-8202
Email: amy.powell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF DEFENSE

represented by **Amy E. Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF STATE

represented by **Amy E. Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**CENTRAL INTELLIGENCE
AGENCY**
TERMINATED: 09/09/2011

represented by **Amy E. Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

**WASHINGTON LEGAL
FOUNDATION**

represented by **Richard A. Samp**
WASHINGTON LEGAL FOUNDATION
2009 Massachusetts Avenue, NW
Washington, DC 20036
(202) 588-0302
Fax: (202) 588-0386
Email: rsamp@wlf.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

**ALLIED EDUCATIONAL
FOUNDATION**

represented by **Richard A. Samp**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/16/2010	<u>1</u>	COMPLAINT against DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Filing fee \$ 350, receipt number 4616028263) filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 03/16/2010)
03/16/2010		SUMMONS (5) Issued as to DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 03/16/2010)
03/17/2010	<u>2</u>	SUMMONS Returned Executed as to US Attorney, served on 3/16/2010, answer due 4/15/2010. (Spitzer, Arthur) Modified on 3/17/2010 to edit the parties (dr). (Entered: 03/17/2010)
03/26/2010	<u>3</u>	NOTICE of Appearance by Amy E. Powell on behalf of DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 03/26/2010)
04/02/2010	<u>4</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF JUSTICE served on 3/22/2010, answer due 4/21/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>5</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF DEFENSE served on 3/29/2010, answer due 4/28/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>6</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF STATE served on 3/24/2010, answer due 4/23/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on Attorney General. Date of Service Upon Attorney General 03/22/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/09/2010	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE

		(Powell, Amy) (Entered: 04/09/2010)
04/12/2010		MINUTE ORDER granting <u>8</u> Defendants' Unopposed Motion for Extension of Time to Answer. Defendants shall file their answer or otherwise respond to the complaint no later than May 6, 2010. Signed by Judge Rosemary M. Collyer on 4/12/10. (lcrmc2) (Entered: 04/12/2010)
04/12/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 5/6/2010. (cdw) (Entered: 04/13/2010)
05/04/2010	<u>9</u>	Unopposed MOTION for Extension of Time to File Answer by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/04/2010)
05/05/2010		MINUTE ORDER granting <u>9</u> Defendants' Unopposed Motion for Extension of Time to Answer. Defendants shall file an Answer or otherwise respond to the Complaint no later than May 19, 2010. If Plaintiffs file an amended Complaint on or before May 19, 2010, Defendants will then have fourteen (14) days from the filing of the amended Complaint to file an Answer or otherwise respond to the amended Complaint. Signed by Judge Rosemary M. Collyer on 5/5/2010. (lcrmc2) (Entered: 05/05/2010)
05/05/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 5/19/2010. (cdw) (Entered: 05/05/2010)
05/14/2010	<u>10</u>	Joint MOTION to Amend/Correct Order on Motion for Extension of Time to Answer, by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/14/2010)
05/14/2010		MINUTE ORDER granting <u>10</u> Defendants' Unopposed Motion for an Extension of Time. Plaintiffs will, if they determine it necessary, file an amended complaint no later than June 1, 2010. If Plaintiffs file an amended complaint, Defendants shall file an answer or other response no later than June 15, 2010. If Plaintiffs do not file an amended complaint by June 1, 2010, Defendants shall file an answer or other response to the complaint no later than June 4, 2010. Signed by Judge Rosemary M. Collyer on 5/14/2010. (lcrmc2) (Entered: 05/14/2010)
06/01/2010	<u>11</u>	AMENDED COMPLAINT against DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, CENTRAL INTELLIGENCE AGENCY filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION.(znmw,) (Entered: 06/02/2010)
06/15/2010	<u>12</u>	ANSWER to <u>11</u> Amended Complaint by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. Related document: <u>11</u> Amended Complaint filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION.(Powell, Amy) (Entered: 06/15/2010)
06/16/2010		MINUTE ORDER requiring the parties to file a joint proposed dispositive motion briefing schedule no later than July 1, 2010. Signed by Judge Rosemary M. Collyer on 6/16/2010. (lcrmc2) (Entered: 06/16/2010)
06/16/2010		Set/Reset Deadlines/Hearings: Joint Proposed Dispositive Motion Briefing Schedule due by 7/1/2010. (cdw) (Entered: 06/22/2010)
07/01/2010	<u>13</u>	STATUS REPORT <i>Proposed Briefing Schedule, jointly filed</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Powell, Amy) (Entered: 07/01/2010)
07/01/2010		MINUTE ORDER. The parties shall file a joint status report by no later than July 16, 2010, to inform the Court as to the Defendants' search for and production of documents responsive to the Plaintiffs' FOIA request. Defendant CIA shall file a motion for summary judgment by no later than October 1, 2010. Plaintiffs shall file an opposition by no later than November 1, 2010. Defendant CIA may file a reply by no later than December 1, 2010. The parties are advised that no extensions of time will be granted. Signed by Judge Rosemary M. Collyer on 7/1/2010. (lcrmc2) (Entered: 07/01/2010)

07/16/2010	<u>14</u>	STATUS REPORT , <i>jointly filed, with proposed order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Powell, Amy) (Entered: 07/16/2010)
07/28/2010		MINUTE ORDER. The Court approves the proposed schedule detailed in the parties' Joint Status Report [Dkt. # 14] and hereby ORDERS that the parties file a joint status report by no later than December 6, 2010. Defendant Department of Justice shall complete its search for responsive records by no later than September 14, 2010. Department of Justice and the Plaintiffs shall then confer and notify the Court of the proposed production schedule. Defendant Department of State shall complete its search for responsive records by no later than October 14, 2010 and shall begin a rolling production of responsive records to the Plaintiffs by no later than November 24, 2010. Defendant Department of Defense shall complete all searches for responsive records by November 15, 2010. Signed by Judge Rosemary M. Collyer on 7/28/2010. (lcrmc2) Modified on 7/30/2010 (cdw). (Entered: 07/28/2010)
10/01/2010	<u>15</u>	MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Declaration of Mary Ellen Cole, # <u>2</u> Exhibits A – E to Declaration of Mary Ellen Cole, # <u>3</u> Text of Proposed Order)(Powell, Amy) (Entered: 10/01/2010)
10/15/2010	<u>16</u>	MOTION for Leave to File Amicus Brief by WASHINGTON LEGAL FOUNDATION, ALLIED EDUCATIONAL FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Proposed 7.1, # <u>3</u> Proposed Amici Curiae)(rdj) (Entered: 10/15/2010)
10/19/2010	<u>17</u>	NOTICE of Consent to Motion for Leave to File Amicus Brief by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION re <u>16</u> MOTION for Leave to File (Spitzer, Arthur) (Entered: 10/19/2010)
10/19/2010		MINUTE ORDER granting <u>16</u> Washington Legal Foundation and the Allied Educational Foundation's consent motion for leave to file amicus curiae brief. Signed by Judge Rosemary M. Collyer on 10/19/2010. (lcrmc2) (Entered: 10/19/2010)
10/19/2010	<u>18</u>	AMICUS BRIEF by ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION. (rdj) (Entered: 10/19/2010)
10/19/2010	<u>19</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION identifying Corporate Parent NONE for ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION. (rdj) (Entered: 10/19/2010)
11/01/2010	<u>20</u>	Memorandum in opposition to re <u>15</u> MOTION for Summary Judgment by <i>Defendant CIA</i> , filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Declaration of Alexander Abdo, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 11/01/2010)
11/01/2010	<u>21</u>	Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Alexander Abdo, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 11/01/2010)
11/30/2010	<u>22</u>	REPLY to opposition to motion re <u>15</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 11/30/2010)
11/30/2010	<u>23</u>	Memorandum in opposition to re <u>21</u> Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 11/30/2010)
12/01/2010		MINUTE ORDER. Plaintiffs may file a reply in support of the cross-motion for partial summary judgment against Defendant CIA <u>21</u> by no later than December 17, 2010. Signed by Judge Rosemary M. Collyer on 12/1/2010. (lcrmc2) (Entered: 12/01/2010)

12/01/2010		Set/Reset Deadlines: Reply in support of the cross-motion for partial summary judgment due by 12/17/2010. (tcb) (Entered: 12/01/2010)
12/06/2010	<u>24</u>	STATUS REPORT (<i>JOINT</i>) by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 12/06/2010)
12/07/2010		MINUTE ORDER. Pursuant to the joint status report <u>24</u> , the parties, with the exception of Defendant Central Intelligence Agency, are ORDERED to file a joint status report by no later than January 21, 2011. The status report shall inform the Court of the progress of production and propose a mutually agreeable production schedule. Defendants shall continue with production on a rolling basis to the fullest extent possible. Signed by Judge Rosemary M. Collyer on 12/7/2010. (lcrmc2) (Entered: 12/07/2010)
12/07/2010		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/21/2011. (cdw) (Entered: 12/08/2010)
12/17/2010	<u>25</u>	REPLY to opposition to motion re <u>21</u> Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Spitzer, Arthur) (Entered: 12/17/2010)
01/21/2011	<u>26</u>	STATUS REPORT by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 01/21/2011)
01/26/2011	<u>27</u>	SCHEDULING ORDER: Counsel will meet and confer, and the parties will file a Status Report with the Court on July 15, 2011, informing the Court as to the status of production, and, if the parties can reach agreement, setting out a mutually agreeable briefing schedule. See order for further details. Signed by Judge Rosemary M. Collyer on January 24, 2011. (cdw) (Entered: 01/27/2011)
03/29/2011	<u>28</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Exhibit Newsweek article)(Spitzer, Arthur) (Entered: 03/29/2011)
05/12/2011	<u>29</u>	Unopposed MOTION for Extension of Time to <i>complete FOIA processing</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/12/2011)
05/12/2011		MINUTE ORDER granting <u>29</u> Defendant Department of Defense's unopposed motion for an extension of time. The Court's January 24, 2011 Scheduling Order <u>27</u> is MODIFIED as follows: Defendant Department of Defense shall use its best efforts to complete processing by May 20, 2011. Signed by Judge Rosemary M. Collyer on 5/12/2011. (lcrmc2) (Entered: 05/12/2011)
06/28/2011	<u>30</u>	Unopposed MOTION for Extension of Time to <i>complete FOIA processing</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 06/28/2011)
06/28/2011		MINUTE ORDER granting <u>30</u> Defendants' consent motion for an extension of time. The Court's January 24, 2011 Scheduling Order <u>27</u> is MODIFIED as follows: Defendant Department of State shall use best efforts to complete processing by July 14, 2011. The parties shall then meet and confer and file a joint status report by July 29, 2011, indicating the status of production and proposing a mutually agreeable briefing schedule. Signed by Judge Rosemary M. Collyer on 6/28/2011. (lcrmc2) (Entered: 06/28/2011)
06/28/2011		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/29/2011. (cdw) (Entered: 06/30/2011)

07/26/2011	<u>31</u>	Consent MOTION for Extension of Time to File <i>joint status report and proposed briefing schedule</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 07/26/2011)
07/26/2011		MINUTE ORDER granting <u>31</u> Plaintiffs' Motion for Extension of Time. By no later than August 12, 2011, the parties shall file a joint status report proposing a mutually agreeable briefing schedule. Signed by Judge Rosemary M. Collyer on 7/26/2011. (lcrmc2) (Entered: 07/26/2011)
07/26/2011		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/12/2011. (cdw) (Entered: 07/29/2011)
08/12/2011	<u>32</u>	STATUS REPORT , <i>filed jointly</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Powell, Amy) (Entered: 08/12/2011)
08/16/2011	<u>33</u>	ORDER directing the parties to file a Status Report with the Court by 10/26/2011. See order for further details. Signed by Judge Rosemary M. Collyer on August 15, 2011. (cdw) (Entered: 08/16/2011)
09/09/2011	<u>34</u>	MEMORANDUM OPINION. Signed by Judge Rosemary M. Collyer on 9/9/2011. (lcrmc2) (Entered: 09/09/2011)
09/09/2011	<u>35</u>	ORDER granting <u>15</u> defendant Central Intelligence Agency's motion for summary judgment and denying <u>21</u> Plaintiffs' motion for partial summary judgment against the Central Intelligence Agency. Accordingly, the Central Intelligence Agency is hereby DISMISSED as a defendant. Signed by Judge Rosemary M. Collyer on 9/9/2011. (lcrmc2) (Entered: 09/09/2011)
09/09/2011	<u>36</u>	Unopposed MOTION for Extension of Time to <i>Produce Draft Vaughn Indices</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 09/09/2011)
09/12/2011		MINUTE ORDER granting <u>36</u> defendants' consent motion for an extension of time. The Court's August 15, 2011 Scheduling Order <u>33</u> is modified as follows: By no later than September 16, 2011, defendant Department of Defense shall provide Plaintiffs a draft Vaughn index and defendant Department of State shall provide Plaintiffs a partial draft Vaughn index. All other deadlines remain the same. Signed by Judge Rosemary M. Collyer on 9/12/2011. (lcrmc2) (Entered: 09/12/2011)
10/11/2011	<u>37</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nathan Freed Wessler, :Firm– American Civil Liberties Union Foundation, :Address– 125 Broad Street, NY NY 10004. Phone No. – (212) 519–7847. Fax No. – 212–549–2651 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Nathan Freed Wessler, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 10/11/2011)
10/13/2011		MINUTE ORDER granting <u>37</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Rosemary M. Collyer on 10/13/2011. (lcrmc2) (Entered: 10/13/2011)
10/26/2011	<u>38</u>	STIPULATION of Dismissal <i>as to Department of Defense, Department of Justice, and Department of State</i> , by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Spitzer, Arthur) (Entered: 10/26/2011)
11/09/2011	<u>39</u>	NOTICE OF APPEAL as to <u>35</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. Filing fee \$ 455, receipt number 0090–2728622. Fee Status: Fee Paid. Parties have been notified. (Spitzer, Arthur) (Entered: 11/09/2011)
11/10/2011	<u>40</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>39</u> Notice of Appeal. (rdj) (Entered: 11/10/2011)

11/18/2011		USCA Case Number 11-5320 for <u>39</u> Notice of Appeal, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION. (rdj) (Entered: 11/18/2011)
07/11/2012	<u>41</u>	ORDER of USCA as to <u>39</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION ; USCA Case Number 11-5320. ORDERED that the motion be denied. (kb) (Entered: 07/11/2012)
05/08/2013	<u>42</u>	MANDATE of USCA (certified copy) as to <u>39</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION ; ORDERED and ADJUDGED that the judgement of the District Court appealed from in this cause is hereby reversed and the case is remanded for further proceedings, in accordance with the opinion of the court filed herein this date. USCA Case Number 11-5320. (md,) (Entered: 05/09/2013)
05/10/2013		MINUTE ORDER. Following receipt of the <u>42</u> USCA Mandate, it is hereby ORDERED that this case is REOPENED . The parties shall meet and confer and file a proposed joint briefing schedule on the issues on remand no later than May 24, 2013 . Signed by Judge Rosemary M. Collyer on 5/10/2013.(lcrmc2) (Entered: 05/10/2013)
05/15/2013	<u>43</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Brett Max Kaufman, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.549.2603. Fax No. - 212.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Brett Kaufman, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/15/2013	<u>44</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Hina Shamsi, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.284.7321. Fax No. - 12.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Hina Shamsi, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/15/2013	<u>45</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jameel Jaffer, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.519.7814. Fax No. - 212.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Jameel Jaffer, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/21/2013		MINUTE ORDER granting <u>43</u> Motion for Leave to Appear Pro Hac Vice as to attorney Brett Max Kaufman. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)
05/21/2013		MINUTE ORDER temporarily granting <u>44</u> Motion for Leave to Appear Pro Hac Vice as to Hina Shamsi. Ms. Shamsi has been admitted pro hac vice in this Court four times in the past two years. Her motion for pro hac vice admission in this case is granted conditionally pending her application for admission to the bar of this Court. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)
05/21/2013		MINUTE ORDER temporarily granting <u>45</u> Motion for Leave to Appear Pro Hac Vice as to Jameel Jaffer. Mr. Jaffer has been admitted pro hac vice in this Court four times in the past two years. His motion for pro hac vice admission in this case is granted conditionally pending his application for admission to the bar of this Court. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)
05/24/2013	<u>46</u>	STATUS REPORT <i>RESPONDING TO MAY 10, 2013 MINUTE ORDER OF THE COURT</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Shamsi, Hina) (Entered: 05/24/2013)
05/28/2013		MINUTE ORDER. Upon consideration of the parties' <u>46</u> Joint Status Report, it is ordered that, no later than August 9, 2013, Defendant CIA shall file its motion for

		summary judgment. Plaintiffs may file a cross-motion and response no later than September 13, 2013; Defendant CIA may file its opposition and reply no later than October 11, 2013. The Court anticipates that briefing will be conducted as scheduled without any extensions to either party. Signed by Judge Rosemary M. Collyer on 5/28/2013. (lcrmc2) (Entered: 05/28/2013)
05/28/2013		Set/Reset Deadlines/Hearings: CIA's Summary Judgment motion due by 8/9/2013. Response to Motion for Summary Judgment due by 9/13/2013. Reply to Motion for Summary Judgment due by 10/11/2013. Plaintiff's Cross Motion due by 9/13/2013. Response to Cross Motion due by 10/11/2013. (cdw) (Entered: 05/29/2013)
06/03/2013	<u>47</u>	MOTION to Withdraw as Attorney by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Wessler, Nathan) (Entered: 06/03/2013)
06/03/2013	<u>48</u>	MOTION to Clarify <i>Briefing Schedule</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 06/03/2013)
06/03/2013		MINUTE ORDER. <u>48</u> ACLU's motion to clarify is DENIED. The Court has adopted the normal progression of briefs in FOIA cases. Should future good cause exist for additional briefs, either party can submit a motion at that time. Signed by Judge Rosemary M. Collyer on 6/3/2013. (lcrmc2) (Entered: 06/03/2013)
06/03/2013		MINUTE ORDER granting <u>47</u> Motion to Withdraw as Attorney as to Nathan Freed Wessler. Signed by Judge Rosemary M. Collyer on 6/3/2013.(lcrmc2) (Entered: 06/03/2013)